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1 authorized transmittal of proposed amendments to the Department of
2 Community Affairs for review and comment pursuant to Chapter 163,
3 Part II, Florida Statutes; and

4 WHEREAS, Palm Beach County received by facimille on October
5 28, 1994, the Department of Community Affairs "Objections,
6 Recommendations, and Comments Report" dated October 28, 1994, which
7 was the Department's written review of the proposed Comprehensive
8 Plan amendments; and

9 WHEREAS, on December 16, 1994, the Palm Beach County Local
10 Planning Agency held a public meeting to review the written
11 comments submitted by the Department of Community Affairs, the
12 Planning Division's response to the written comments, and to make
13 recommendations regarding adoption of the Comprehensive Plan
14 amendments; and

15 WHEREAS, on December 20, 1994, the Palm Beach County Board of
16 County Commissioners held a public hearing to review the written
17 comments submitted by the Department of Community Affairs and to
18 consider adoption of the amendments; and

19 WHEREAS, the Palm Beach County Board of County Commissioners
20 has determined that the amendments as modified satisfy the concerns
21 addressed in the Department of Community Affairs' "Objections,
22 Recommendations and Comments Report" and comply with all
23 requirements of the Local Government Comprehensive Planning and
24 Land Development Regulations Act.

25 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY :
26 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

27 Part I. Amendments to the Traffic Circulation Element of the
28 1989 Comprehensive Plan

29 Amendments to the Traffic Circulation Element, including the
30 Thoroughfare Right-of-Way Identification Map of the Palm Beach
31 County 1989 Comprehensive Plan, are hereby adopted and are attached
32 to this Ordinance in Exhibit 1.

1 Part II. Repeal of Laws in Conflict

2 All local laws and ordinances applying to the unincorporated
3 area of Palm Beach County in conflict with any provision of this
4 ordinance are hereby repealed to the extent of such conflict.

5 Part III. Severability

6 If any section, paragraph, sentence, clause, phrase, or word
7 of this Ordinance is for any reason held by the Court to be
8 unconstitutional, inoperative or void, such holding shall not
9 affect the remainder of this Ordinance.

10 Part IV. Inclusion in the Code of Laws and Ordinances

11 The provision of this Ordinance shall become and be made a
12 part of the code of laws and ordinances of Palm Beach County,
13 Florida. The Sections of the Ordinance may be renumbered or
14 relettered to accomplish such, and the word "ordinance" may be
15 changed to "section," "article," or any other appropriate word.

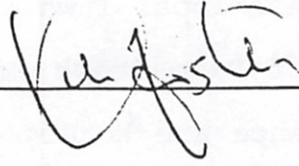
16 Part V. Effective Date

17 The effective date of this plan amendment shall be the date a
18 final order is issued by the Department of Community Affairs or
19 Administration Commission finding the amendment in compliance in
20 accordance with Section 163.3184, Florida Statutes, whichever
21 occurs earlier. No development orders, development permits, or
22 land uses dependent on this amendment may be issued or commence
23 before it has become effective. If a final order of noncompliance
24 is issued by the Administration Commission, this amendment may
25 nevertheless be made effective by adoption of a resolution
26 affirming its effective status, a copy of which resolutions shall
27 be sent to the Department of Community Affairs, Bureau of Local
28 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

29 **APPROVED AND ADOPTED** by the Board of County Commissioners of
30 Palm Beach County, on the 20 day of December, 1994.

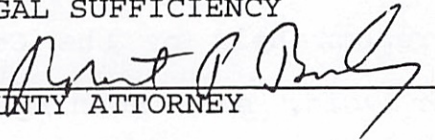
1 PALM BEACH COUNTY, FLORIDA,
2 BY ITS BOARD OF COUNTY COMMISSIONERS

3 By _____
4 Chair



5 APPROVED AS TO FORM AND
6 LEGAL SUFFICIENCY

7
8 COUNTY ATTORNEY



9 Acknowledgement by the Department of State of the State of
10 Florida, on this, the 30th day of December,
11 1994.

12 Acknowledgement from the Department of State received on the
13 3rd day of January, 1995, at 9:39 A.M. and
14 filed in the Office of the Clerk of the Board of County
15 Commissioners of Palm Beach County, Florida.

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EXHIBIT 1

TO ORDINANCE NO 94 -

**AMENDMENTS PERTAINING TO THE
ABACOA DEVELOPMENT OF REGIONAL IMPACT**



FOR THE DECEMBER 20, 1994

BOARD OF COUNTY COMMISSIONERS ADOPTION

PUBLIC HEARING

Revised

TABLE OF CONTENTS:

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I.	Assured Construction, Traffic Circulation Element (T.C.E.) Policy 4-h	2
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III.	Revision to Table 8, Capital Improvement Element	6

I:\COMMON\PLANNING\DATA\ROUND942\ORDINANC.ES\ABAC_REV.EX1

I. Traffic Circulation Element Policy 4-b, pertaining to assured construction, is amended to add the following underlined language:

Policy 4-h: For purposes of Test One and Alternate Test One, an applicant may receive a development order based upon assured construction, provided the issuance of building permits is phased to the availability of the assured construction either by a condition of the approval or a developer's agreement.

Phasing a development to assured construction allows larger developments with longer buildout periods; that could not be approved in total due to inadequate roadway capacity, to be built as roadway projects are built. Such development is reviewed in the Concurrency Management System based on the assumption that the assured roadway construction will be built. This allows a development to establish an anticipated schedule for the beginning of each phase. Building permits are tied to assured construction and are not issued until the construction of the roadway project begins. This ensures that the traffic from these later phases of development is not on the roadway network until the necessary roadway facilities are in place.

Assured construction is road construction improvements scheduled to be made to the Major Thoroughfare system by one or more of the following means:

(A) Inclusion in the adopted Five-Year County Road Program for commencement of construction; provided any anticipated non-public funds are secured by performance security;

(B) Inclusion in the adopted Five-Year State Department of Transportation Work Program for commencement of construction;

(C) A major intersection or link improvement for which a contract for construction which is secured by performance security has been executed and which, by its terms, requires that construction be completed within five (5) years;

(D) A major intersection or link improvement which will be constructed pursuant to a road agreement; and which, by its terms, requires that construction be completed within five (5) years;

(E) Major intersection or link improvements which are required to be constructed pursuant to a condition of a development order which by its terms requires that it be completed within five (5) years and which has been secured by performance security;

(F) Specific inclusion in the capital improvements element of a municipal comprehensive plan for commencement of construction within five (5) years provided: (1) the improvements are financially feasible, based on currently available public revenue sources adequate to complete the improvement; and (2) a comprehensive plan amendment would be required to eliminate, defer, or delay construction; or

(G) For purposes of a concurrency certificate for a development order only, a major intersection or link that the applicant agrees to construct and guarantee through a condition of approval, or agreement; said construction to be: (1) completed prior to issuance of the certificate(s) of occupancy which are phased to the improvement(s); and (2) secured by performance security within six (6) months of issuance of the development order.

Development orders for Developments of Regional Impact (D.R.I.) with a project buildout of more than five years may meet Test One or Alternate Test One based on development order conditions that phase building permits to assured construction, for the first five years of the project, and to the construction of identified links in the 2010 Plan Network beyond the first five years of the project. No building permits within the D.R.I. may be issued until the roadway that the building permits are phased to is under construction.

Notwithstanding any other provisions of this Element, any project which is a D.R.I., located east of I-95 which requires any single roadway project costing in excess of \$15 million to meet concurrency, may treat that roadway project as assured construction if the roadway project is in the first three years of an adopted work program. The D.R.I. development order must include a condition that the road project must be under actual construction no more than three years after the issuance of the certificate of occupancy (or functional equivalent) that precipitates the need for the road project.

For any roadway project which is being relied upon as assured construction as outlined above, the Capital Improvements Element must be amended to include:

1. The estimated date of commencement of actual construction and the estimated date of project completion; and
2. A provision that a plan amendment is required to eliminate, defer, or delay construction of the road.

For purposes of Test Two, a development order shall not be issued unless the development meets the established L.O.S. standard.

II. Traffic Circulation Element Policy 4-n is added to Objective 4 with the underlined additions:

Policy 4-n: The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 4-b general level of service standards.

1. Center Street, from Indiantown Road to Loxahatchee River Road, is hereby designated as a Constrained Roadway At a Lower Level of Service (CRALLS) facility and its level of service shall be for test one, 15,500 trips on an A.D.T. basis and 1,480 trips on a peak hour basis.
2. Center Street, from Loxahatchee River Road to Alternate A-1-A, is hereby designated as a CRALLS facility and its level of service shall be for test one, 20,700 trips on an A.D.T. basis and 1,990 trips on a peak hour basis. For alternate test one, the level of service shall be 1,180 trips on a peak hour peak direction basis and an intersection critical volume of 1,400.

Table 8
Palm Beach County
Six Year Schedule of Capital Improvements
Traffic Circulation Projects
\$000's

Proj	Project Title	Limits	Description	Miles	Bud FY 93/94	FY 94/95	FY 95/96	FY 96/97	FY 97/98	FY 98/99	COMSIST. U/PLAN
1	827A (Belle Glade)	Bolles Canal to SR 80	Reconstruction	3.5			4,837				Yes
2	Belevedere Rd	Mayacoo Lakes Blvd-Jog Rd	6 lanes	1.5	4,000	6,400					Yes
3	Belevedere Rd	Military Trail-Congress Ave	6 lanes	1.5	1,120						Yes
4	Blue Heron Blvd	195 - Avenue S	6 lanes	1.2			1,623				Yes
5	Bolles Canal Rd	Bridge over North New River Canal	3 lanes	0.5	250						Yes
6	Camino Real	SW 7th Ave - SW 3rd Ave	4 lanes	0.6	1,720						Yes
7	Clint Moore Rd	FDOT Turnpike Agreement	6 lanes	0.6				2,000			Yes
8	Congress Ave	L-30 to L-28 Canal (allunters Run)	6 lanes	1.0			1,490				Yes
9	Congress Ave	Blue Heron Blvd-Worthlake Blvd	2/3 lanes	1.0	2,870						Yes
10	Donald Ross Rd	SR 811 - US 1	4/6 Lanes	2.5			3,028	30,989			Yes *
11	Donald Ross Rd	SR 811 - US 1 (Mitigation)			250		1,800				Yes
12	Flavor Pict Rd	West of E-3 Canal-Military Trail	2/3 lanes	0.5			1,727				Yes
13	Folsom Rd/Crestw	SR 80 - Okeechobee Blvd	2/4 Lanes	1.5	700	3,100					Yes
14	Glades Area	R&R Throughout the Glades	Repair/Recons	0.0	800	800			800		Yes
15	Gateway Blvd(MW 2	Military Trail - Congress Ave	6 lanes	2.0					3,670		Yes
16	Haverhill Rd	45th St - Beeline Hwy	5 Lanes	2.5					5,675		Yes
17	Indiantown Rd	130th Ave-Jupiter Farms Rd	4 lanes	3.1	1,310			7,032			Yes
18	Indiantown Rd	Jupiter Farms Rd - Turnpike	4 lanes	2.5							Yes
19	Intersection Prog	Countywide	Intersections	0.0		6,800					Yes
20	Jog Rd	Pipers Glen-Voolbright Road	2/3 Lanes	1.2	4,000	4,000		4,000	4,000		Yes
21	Jog Rd	Voolbright Rd-Boynton Beach Blvd	2/3 Lanes	1.1	1,140						Yes
22	Jog Rd	Boynton Beach Blvd-Lake Charleston	4 lanes	2.3			1,964				Yes
23	Jog Rd	Lake Worth Rd-Forest Hill Blvd	6 lanes	2.2	1,730			4,140			Yes
24	Kirk Rd	Lake Worth Rd-Forest Hill Blvd	3/5 Lanes	2.0	100						Yes
25	Kirk Rd	Purdy Lane-Forest Hill Blvd	5 Lanes	0.4	1,020						Yes
26	Lake Ida Rd	El Clair Ranch Rd - Military Trail	2/3 Lanes	1.7	2,600	3,800					Yes
27	Lake Worth Rd	South Shore Blvd-Wycliff	2/3 Lanes	2.9				2,000			Yes
28	Mercer Ave	Belevedere Rd-Australian Ave	4/5 Lanes	0.4				2,200			Yes
29	Military Trail	Palmetto Park Rd-S. of Glades Rd	6 lanes	1.4			2,303				Yes
30	Northlake Blvd	W of Turnpike - Military Trail	6 lanes	3.0		3,000	3,105				Yes
31	Northlake(Releve	Military Trail-Garden Rd	2/3 Lanes	1.0				3,347			Yes
32	Northlake(Releve	Garden Rd - Congress	2/3 Lanes	0.7	1,360						Yes
33	Okeechobee Blvd	Extension W of Seminole Pratt	2 Lanes	0.15	600	100					Yes
34	Okeechobee Blvd	Royal Palm Beach - SR 7	6 lanes	2.0	1,290						Yes
35	Old State Rd 80	Rehabilitation/Heavy Maint.	Rehab						1,100		Yes
36	Pathway Program	Countywide School & Recreational Pathways			950	900	900	900	1,000		Yes

*Estimated Completion Date is Fiscal Year 99/00

Exhibit 1
B.C.C. Public Hearing

6

Ordinance No. 94 -
December 20, 1994

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 12/20/94
DATED at West Palm Beach, FL on 1/5/95
DOROTHY H. WILKEN, Clerk
By: Phyllis A. Hirsch D.C.